



WHISTLEBLOWING POLICY

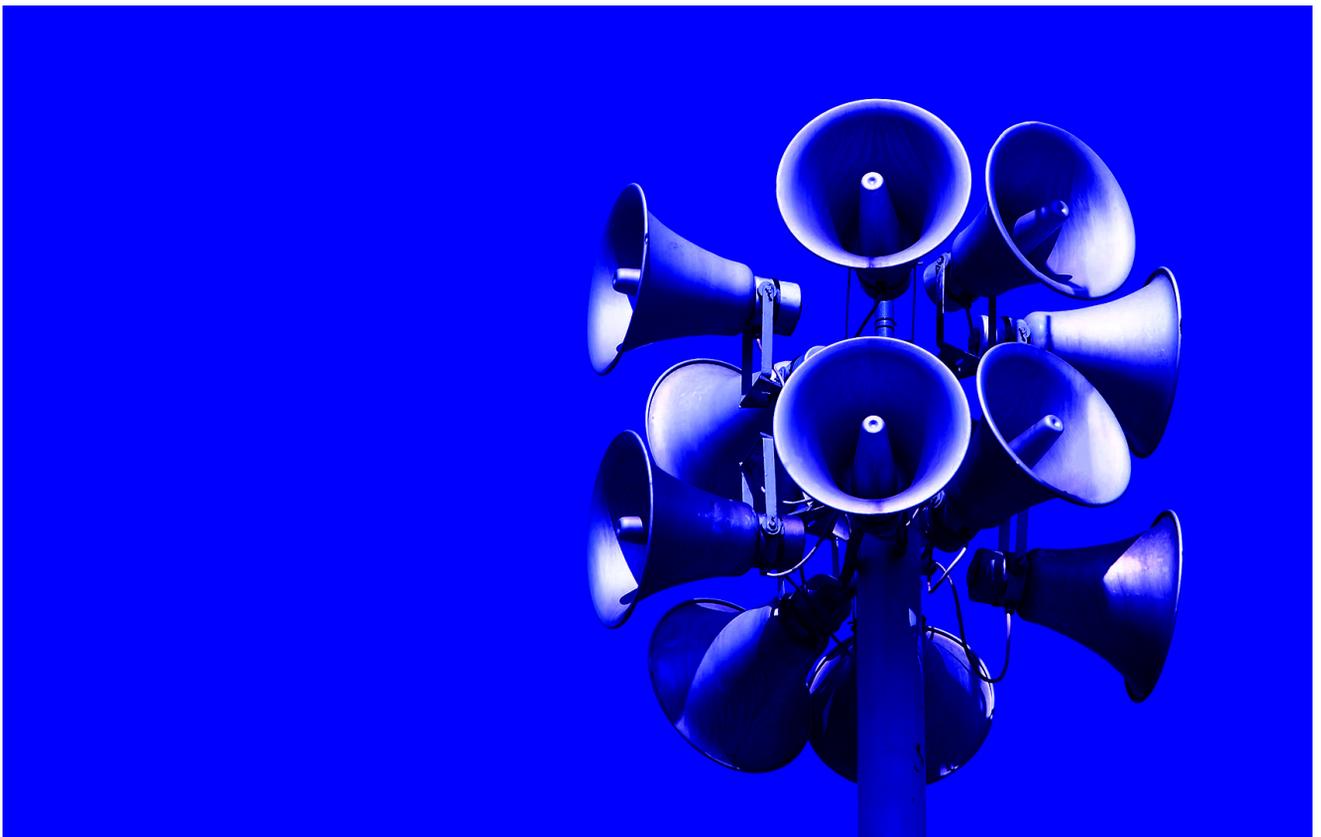
JUNE 2019

WHISTLEBLOWING POLICY

POLICY STATEMENT

From time to time, a member of staff might discover information which he or she believes points to a wrongdoing or malpractice within the organization. On such occasions, it must be made possible for the information to be disclosed without fear of reprisal to appropriate persons within the organization.

In line with the above, this Policy is intended to provide various channels for reporting actual or suspected wrong-doings committed by any staff, supplier, service provider, contractor or other stakeholders dealing with the Company for investigation and appropriate action as well as assurance that the staff making the report (“Whistle-blower”) will be protected from reprisals, retaliation or any adverse treatment. All employees and associates of ACAL are encouraged to raise genuine concerns about possible improprieties in matters of corruption, bribery, fraud and other malpractices at the earliest opportunity, and in an appropriate way.



INTENTIONS

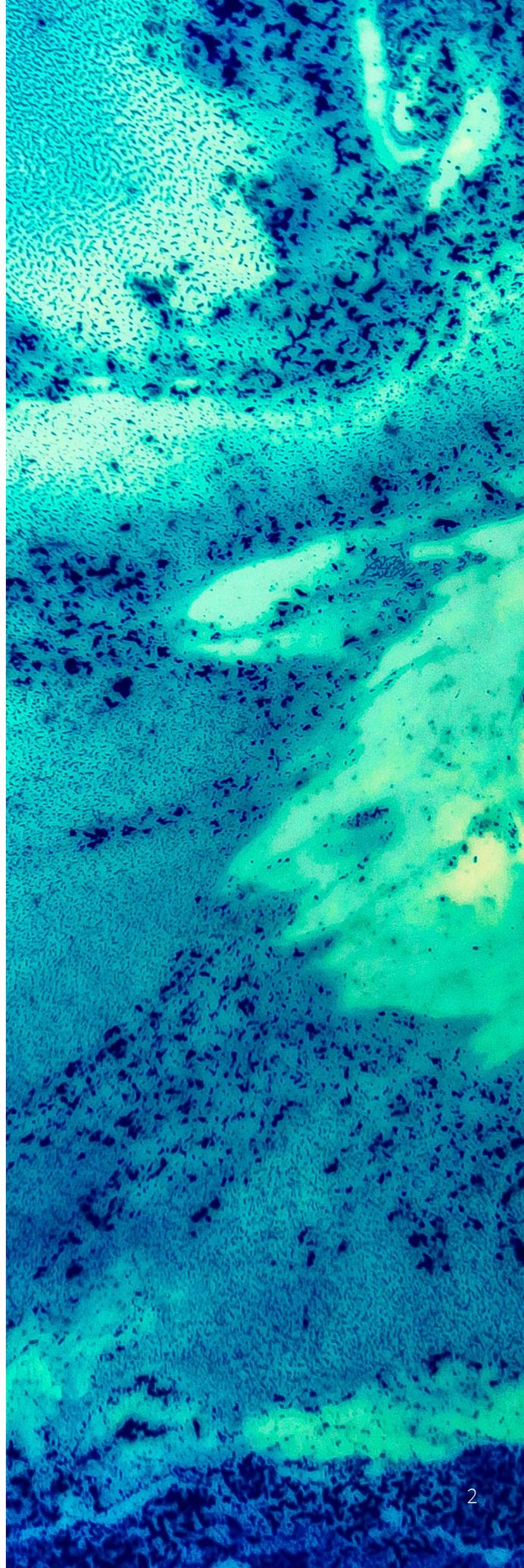
- support our values in line with our national values;
- ensure employees can raise concerns without fear of suffering retribution; and
- provide a transparent and confidential process for dealing with concerns.

SCOPE

- fraud;
- corruption, bribery or blackmail;
- criminal offences;
- failure to comply with a legal or regulatory obligation;
- miscarriage of justice;
- endangering the health and safety of an individual; and
- concealment of any of the above.

PRINCIPLES

- All concerns raised will be treated fairly and properly.
- ACAL will not tolerate the harassment or victimization of anyone raising a genuine concern.
- Any individual making a disclosure will retain their anonymity unless they agree otherwise.
- We will ensure that any individual raising a concern is aware of who is handling the matter.
- We will ensure no one will be at risk of suffering some form of retribution as a result of raising a concern even if they are mistaken. We do not however extend this assurance to someone who maliciously raises a matter they know to be untrue.



GRIEVANCE PROCEDURE

If any employee believes reasonably and in good faith that malpractice exists in the workplace, then he or she should report this immediately to their own line manager. However, if for any reason they are reluctant to do so, then they should report their concerns to either the Country Director or the Chief Executive officer (CEO).

Employees concerned about speaking to another member of staff can speak, in confidence, to the Country Director.

If these channels have been followed and employees still have concerns, or if employees feel the matter is so serious that it cannot be discussed with any of the above, they should contact a Member of Board of Directors.

Employees, who have raised concerns internally, will be informed of who is handling the matter, how they can contact them and if there is any further assistance required. We will give as much feedback as we can without any infringement on a duty of confidence owed by us to someone else.

Employees' identities will not be disclosed without prior consent. Where concerns are unable to be resolved without revealing the identity of the employee raising the concern, (e.g. if their evidence is required in court), we will initiate dialogue with the employee concerned as to whether and how we can proceed.

HANDLING OF REPORTS

The Company may in appropriate cases, particularly if the report pertains to criminal activity forward such report to external bodies like the Police, The Ethics and Anti-Corruption Commission and other relevant bodies.

SAFEGUARDS

In keeping with applicable law, ACAL prohibits discrimination, retaliation or harassment of any kind against a Whistle - blower who submits a complaint or report in good faith. This is done through the following measures.

Confidentiality: The identity of the individual making an allegation will remain confidential, unless otherwise agreed with that individual.

Protection: The Policy offers protection against dismissal or other punitive action to those individuals who make reports in accordance to this Policy.

FAIR HEARING

Any person named in a report will be given an opportunity to be heard and defend themselves before any action is taken

INDEPENDENT ADVICE

If a staff is not clear on this Policy or procedure for whistle blowing, they are advised to contact any of the following persons;

- The CEO;
- the Country Director

PROTECTION

The Kenya's Witness Protection Agency is a body corporate established under the Witness Protection Act, (Cap 79 Laws of Kenya) which came into operation on 1st September 2008 vide **Legal Notice No. 110 of 2008** dated 19th August, 2008 as amended by the Witness Protection (Amendment) Act, No. 2 of 2010. The Regulations to facilitate the efficient and effective implementation of the Act were promulgated vide **legal Notice No. 99 of 2011** which came into force on **5th August 2011**.

The **object** and **purpose** of the Agency is to provide the framework and procedures for giving special protection, on behalf of the State, to persons in possession of important information and who are facing potential risk or intimidation due to their co-operation with prosecution and other law enforcement agencies as stated in Section 3B of the Witness Protection Act, 2006.

REVIEW

This Policy will be reviewed biennially to ensure continuing suitability



About ACAL

We go deep to unlock insight and have the courage to act. We bring the right people together to challenge established thinking and drive transformation. We work with our clients to build the capabilities that enable organizations to achieve sustainable advantage. We are shaping the future. Together. See how we change the game at acalconsulting.co.ke

ACAL Consulting
Victoria Office Suites
Riverside Drive
PO Box 20382 - 00100
Nairobi, Kenya

T +254 (0) 20 201 3480, 3488
E info@acalconsulting.co.ke